



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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Bill Number: S. 0047 As amended by the Senate on May 20, 2015
 Author: Malloy
 Requestor: Senate and House of Representatives
 Date: June 1, 2015
 Subject: Body-Worn Cameras
 RFA Analyst(s): Gardner, Fulmer, Stein, and Wren

Estimate of Fiscal Impact

	FY 2015-16	FY 2016-17
State Expenditure		
General Fund	\$7,113,122*	\$4,055,668*
Other and Federal	N/A	N/A
Full-Time Equivalent Position(s)	5.00	0.00
State Revenue		
General Fund	N/A	N/A
Other and Federal	N/A	N/A
Local Expenditure	\$14,400,000*	\$8,200,000*
Local Revenue	N/A	N/A

* State and local law enforcement agencies indicate that total expenditures could total \$21,513,122 in FY 2015-16 and \$12,255,668 in subsequent years. Required expenditures would be limited to the appropriations to the Body-Worn Camera Fund.

Fiscal Impact Summary

This bill could increase General Fund expenditures in FY 2015-16 by \$7,113,122 for one-time and recurring costs associated with the implementation of the bill. Recurring expenditures are expected to increase by \$4,055,668 in subsequent years. Local law enforcement agency expenditures are expected to increase by \$14,400,000 in FY 2015-16 and by \$8,200,000 in subsequent years. Actual expenditures will depend on disbursements from the Body-Worn Camera Fund.

Explanation of Fiscal Impact

Explanation of Amendment (May 20, 2015) – By the Senate

State Expenditure

This bill provides that state and local law enforcement officers be equipped with body-worn cameras. The bill requires the Law Enforcement Training Council, within 180 days of the effective date of the act, to develop guidelines that include provisions for data retention, release, and access. These guidelines will be shared with state and local law enforcement agencies, which will develop policies and procedures for the use of such cameras pursuant to the guidelines within 270 days of the effective date of the act. These state and local policies and procedures must be approved by the Law Enforcement Training Council. The bill also

establishes a Body-Worn Cameras Fund within the Department of Public Safety to assist state and local law enforcement agencies with the purchase, maintenance, and data costs associated with these devices. Within 180 days of the effective date of the act, the Public Safety Coordinating Council will establish a funding application process as well as a disbursement protocol. State and local law enforcement agencies are not required to implement the use of body-worn cameras until they have received full funding but may proceed with their use of such devices at any time. Reimbursements are allowable for those agencies using body-worn cameras prior to the approval of their respective policies and procedures or prior to their receipt of full funding. The bill also establishes provisions for the release of data recorded by these devices pursuant to the Freedom of Information Act.

South Carolina Department of Public Safety. The department reports that the cost of cameras, license fees, and data storage is estimated at \$2,220,650 in the first year and \$1,476,400 for each year thereafter. The agency currently has 1,150 law enforcement officers.

State Law Enforcement Division. The agency reports that the cost associated with the equipment, training, maintenance, storage, data retrieval, and anticipated increased FOIA requests total approximately \$1,055,405 on a recurring basis and \$651,120 on a non-recurring basis. These costs include cameras worn at eye-level, as the agency believes this would be the most accurate record of what the officer sees. These estimates also include additional storage space, increased internet bandwidth, and surveillance feed maintenance. The amount of cameras for the agency includes a small inventory for replacement and training purposes. The agency anticipates an Information Technology position would be necessary to administer the storage, maintenance, and retrieval of these electronic files. There would also need to be a Program Manager of the electronic surveillance system within the Command Post that house live video and audio feeds. Additionally, the agency anticipates an increase in FOIA requests, which would require an additional full time Administrative Specialist position to disseminate data within the 15 day turnaround time.

South Carolina Criminal Justice Academy. The agency reports that another staff attorney would need to be hired to assist the agency with developing the guidelines required in Section 1, subsections (C) and (D) of the bill, which will cost \$95,000 in general fund expenditures.

State Senate. The Senate reports that S. 0047, as introduced, would have an expenditure impact of \$10,800. The agency would need to equip 14 law enforcement officers with cameras that would cost approximately \$700 and would need an additional \$1,000 for computer software to manage the associated video records.

State House of Representatives. The House of Representatives reports that S. 0047, as introduced, would have an expenditure impact of \$8,700. The agency would need to equip 11 law enforcement officers with cameras that would cost approximately \$700 and would need an additional \$1,000 for computer software to manage the associated video records.

Department of Mental Health. The agency reports that the cost of cameras, license fees, and data storage is estimated at \$114,000 in the first year for its 114 law enforcement positions.

Department of Juvenile Justice. The agency reports that the cost of cameras, license fees, and data storage for 18 officers with 2 spares is estimated at \$18,000 in the first year. The agency also reports that the initial purchase of the cameras would constitute a one-time cost and be funded by Other Funds. The recurring expenditures include video storage, maintenance, and camera expenses.

Department of Probation, Parole and Pardon Services. The department indicates there will be a cost to the General Fund of \$967,000 for the first year of implementation. This cost includes \$642,000 of recurring funds and \$325,000 of non-recurring funds. The recurring expenditures include video storage, maintenance, and camera expenses.

Department of Health and Environmental Control. The department reports that the cost of equipment, operating costs, and 1.00 FTE position to manage the data storage system would be \$818,415 in the first year and \$418,415 each year thereafter.

Forestry Commission. The Commission reports that the cost of cameras, license fees, and data storage is estimated at \$40,000 in the first year and \$20,000 for each year thereafter.

Department of Natural Resources. The department reports that the cost of cameras, license fees, data storage, software, and 1.00 FTE position to manage and maintain the system would be \$448,000 in the first year and \$98,000 each year thereafter.

Department of Parks, Recreation and Tourism. The department reports that if their 72 constables are "law enforcement officers," the estimated cost of cameras, software, and data storage is \$139,032 in the first year and \$92,448 each year thereafter.

South Carolina Commission on Higher Education. The commission reports that 456 cameras would be required across 25 institutions which would incur a startup cost of \$10,000 for each institution. The total initial cost would be \$527,000, and the cost for maintenance and licensing support in years thereafter is estimated at \$253,000 annually.

The Governor's School for Arts and Humanities and the Governor's School for Science and Math. The schools indicate the expenditure impact to purchase cameras would be minimal and can be absorbed by their current appropriations.

Department of Social Services. The agency indicates there is minimal expenditure impact and can be absorbed through existing appropriations.

Department of Alcohol and Other Drug Abuse Services. The agency indicates this bill will have no expenditure impact on the General Fund, Federal Funds, or Other Funds.

The Governor's Office of Executive Policy and Programs, Department of Education, John de la Howe School, and Wil Lou Gray Opportunity School indicate there is no expenditure impact to the General Fund, Federal Funds, or Other Funds.

State Revenue

N/A

Local Expenditure

The Revenue and Fiscal Affairs Office contacted the Municipal Association of South Carolina, the South Carolina Association of Counties, and twenty-five county governments regarding the impact of this bill.

The Municipal Association of South Carolina responded with an estimate from 103 municipalities. This sample represents about fifty percent of the total incorporated population. Based on the information provided by the Municipal Association and prorating for a statewide incorporated population figure, we estimate the first year expense for municipal governments to be approximately \$5,400,000 and a recurring expense of \$3,400,000.

The South Carolina Association of Counties assisted in gathering data from six county governments. These six counties include Calhoun, Charleston, Georgetown, Lexington, Richland, and Spartanburg and represent approximately forty-five percent of the county population minus the incorporated population. Based on the responses received from these counties and prorating for a statewide county population figure, we estimate the first year expense for county governments to be approximately \$9,000,000 and a recurring expense of \$4,800,000.

Therefore, we estimate this bill will have a statewide local expenditure impact of \$14,400,000 in FY 2015-16 and \$8,200,000 in FY 2016-17 and each year thereafter. County and municipal estimates may vary as the camera and video storage costs range from a few hundred dollars up to several thousand dollars. Since the bill does not specify the type of camera that must be purchased, county and municipal governments will be responsible for choosing equipment that meets the needs of their entities.

Local Revenue

N/A

Explanation of Amendment (May 13, 2015) – By the House of Representatives**State Expenditure**

This bill provides that state and local law enforcement officers be equipped with body-worn cameras. The bill requires the Law Enforcement Training Council, within 180 days of the effective date of the act, to develop guidelines that include provisions for data retention, release, and access. These guidelines will be shared with state and local law enforcement agencies, which will develop policies and procedures for the use of such cameras pursuant to the guidelines within 270 days of the effective date of the act. These state and local policies and procedures must be approved by the Law Enforcement Training Council. The bill also establishes a Body-Worn Cameras Fund within the Department of Public Safety to assist state and local law enforcement agencies with the purchase, maintenance, and data costs associated with these devices. Within 180 days of the effective date of the act, the Public Safety Coordinating Council will establish a funding application process as well as a disbursement protocol. State and local law enforcement agencies are not required to implement the use of

body-worn cameras until they have received full funding but may proceed with their use of such devices at any time. Reimbursements are allowable for those agencies using body-worn cameras prior to the approval of their respective policies and procedures or prior to their receipt of full funding. The bill also establishes provisions for the release of data recorded by these devices pursuant to the Freedom of Information Act.

South Carolina Department of Public Safety. The department reports that the cost of cameras, license fees, and data storage is estimated at \$2,220,650 in the first year and \$1,476,400 for each year thereafter. The agency currently has 1,150 law enforcement officers.

State Law Enforcement Division. The agency reports that the cost associated with the equipment, training, maintenance, storage, data retrieval, and anticipated increased FOIA requests total approximately \$1,055,405 on a recurring basis and \$651,120 on a non-recurring basis. These costs include cameras worn at eye-level, as the agency believes this would be the most accurate record of what the officer sees. These estimates also include additional storage space, increased internet bandwidth, and surveillance feed maintenance. The amount of cameras for the agency includes a small inventory for replacement and training purposes. The agency anticipates an Information Technology position would be necessary to administer the storage, maintenance, and retrieval of these electronic files. There would also need to be a Program Manager of the electronic surveillance system within the Command Post that house live video and audio feeds. Additionally, the agency anticipates an increase in FOIA requests, which would require an additional full time Administrative Specialist position to disseminate data within the 15 day turnaround time.

South Carolina Criminal Justice Academy. The agency reports that another staff attorney would need to be hired to assist the agency with developing the guidelines required in Section 1, subsections (C) and (D) of the bill, which will cost \$95,000 in general fund expenditures.

State Senate. The Senate reports that S. 0047, as introduced, would have an expenditure impact of \$10,800. The agency would need to equip 14 law enforcement officers with cameras that would cost approximately \$700 and would need an additional \$1,000 for computer software to manage the associated video records.

State House of Representatives. The House of Representatives reports that S. 0047, as introduced, would have an expenditure impact of \$8,700. The agency would need to equip 11 law enforcement officers with cameras that would cost approximately \$700 and would need an additional \$1,000 for computer software to manage the associated video records.

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Department of Juvenile Justice. The agency reports that the cost of cameras, license fees, and data storage for 18 officers with 2 spares is estimated at \$18,000 in the first year. The agency also reports that the initial purchase of the cameras would constitute a one-time cost and be funded by Other Funds. The recurring expenditures include video storage, maintenance, and camera expenses.

Department of Probation, Parole and Pardon Services. The department indicates there will be a cost to the General Fund of \$967,000 for the first year of implementation. This cost includes \$642,000 of recurring funds and \$325,000 of non-recurring funds. The recurring expenditures include video storage, maintenance, and camera expenses.

Department of Health and Environmental Control. The department reports that the cost of equipment, operating costs, and 1.00 FTE position to manage the data storage system would be \$818,415 in the first year and \$418,415 each year thereafter.

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Department of Parks, Recreation and Tourism. The department reports that if their 72 constables are “law enforcement officers,” the estimated cost of cameras, software, and data storage is \$139,032 in the first year and \$92,448 each year thereafter.

South Carolina Commission on Higher Education. The commission reports that 456 cameras would be required across 25 institutions which would incur a startup cost of \$10,000 for each institution. The total initial cost would be \$527,000, and the cost for maintenance and licensing support in years thereafter is estimated at \$253,000 annually.

The Governor’s School for Arts and Humanities and the Governor’s School for Science and Math. The schools indicate the expenditure impact to purchase cameras would be minimal and can be absorbed by their current appropriations.

Department of Social Services. The agency indicates there is minimal expenditure impact and can be absorbed through existing appropriations.

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State Revenue

N/A

Local Expenditure

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Local Revenue

N/A

Explanation of Bill (January 12, 2015) – By the Senate

State Expenditure

This bill requires that all state and local law enforcement officers be equipped with body-worn cameras, contains provisions for the operation of such cameras, and establishes notification and data retention and release requirements.

South Carolina Department of Public Safety. The department reports that the cost of cameras, license fees, and data storage is estimated at \$2,220,650 in the first year and \$1,476,400 for each year thereafter. The agency currently has 1,150 law enforcement officers.

State Law Enforcement Division. The agency reports that the cost associated with the equipment, training, maintenance, storage, data retrieval, and anticipated increased FOIA requests total approximately \$1,055,405 on a recurring basis and \$651,120 on a non-recurring basis. These costs include cameras worn at eye-level, as the agency believes this would be the most accurate record of what the officer sees. These estimates also include additional storage space, increased internet bandwidth, and surveillance feed maintenance. The amount of cameras for the agency includes a small inventory for replacement and training purposes. The agency anticipates an Information Technology position would be necessary to administer the storage,

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Local Revenue

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Frank A. Rainwater, Executive Director